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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,363	06/06/2001	Toshihiko Kobayashi	FUJI 121	2946
23995	7590	12/17/2004	EXAMINER CHOU, ALBERT T	
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005			ART UNIT 2662	PAPER NUMBER

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,363

Applicant(s)

KOBAYASHI, TOSHIHIKO

Examiner

Albert T. Chou

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06-06-2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: See Continuation Sheet.

Continuation of Attachment(s) 6). Other: PCT International Pub. No. WO 00/56019

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4 are rejected under U.S.C. 102(e) as being anticipated by Eloranta (PCT/EP99/01760; International Publication Number: WO 00/56019; International Publication Date: September 21, 2000).
4. Regarding claim 1, Eloranta teaches (figure 4) that a Gateway GPRS Support Node **GGSN** (a *communication apparatus*) comprises means for controlling communication (*Communication control means*) between Serving GPRS Support Node **SGSN** (a *communication apparatus*) and a Lawful Interception Gateway **LIG** (a *communication intercepting apparatus*). Eloranta also teaches (figures 2 & 4; page 10, lines 1-10) **GGSN** receives an interception request from Interception Activation /Deactivation **IAD** function in the **LIG**

Art Unit: 2662

(monitoring request recognizing means for recognizing reception/non-reception of a monitor request signal from said communication apparatus). Eloranta further teaches that upon receipt an interception request from Interception Activation/Deactivation **IAD** function in the **LIG** (figures 2 & 4; page 10 lines 1-10), the **IDC** function in the **GGSN** will initiate the interception of data packet originated from **SGSN** to **GGSN** (figures 2 & 4; page 12, lines 6-14) *(monitoring data generating means for generating monitoring data).* The intercepted data packet will be transferred to the destination in accordance with the Destination Information **D** in the interception activation message received by **GGSN** (figures 2 & 4; page 10, lines 1-10; page 12, lines 6-14) *(monitoring data generating means for sending monitoring data to the said communication means).*

5. Regarding claim 2, Eloranta teaches (figures 2 & 4; page 10, lines 1-10) **GGSN** receives an interception request from Interception Activation and Deactivation **IAD** function in the **LIG** when the interception function is required *(monitoring request signal is received by said receiving means as an option to a recall connect request signal).*

6. Regarding claim 3, Eloranta teaches (figure 4) a Lawful Interception Gateway **LIG** *(a communication intercepting apparatus)* initiates an interception activation message from the User Interface **UI**. In response to the interception activation message, **IAD** function in the **LIG** transmits an interception activation message comprising an activation criterion to **IDC** function in the **GGSN** (figures 2 & 4; page 10, lines 1-6) *(communication control means for performing communication control to said terminal apparatus).* The **IDD** function in the **LIG**

Art Unit: 2662

receives the intercepted data from **GGSN** and transmits it via the User Interface **UI** to the interceptor to which the destination is allocated (figures 2 & 4; page 12, lines 6-18) (*monitoring means for reproducing said monitoring data received*).

7. Regarding claim 4, Eloranta teaches the User Interface **UI** in the **LIG** initiates an interception activation message when the interception function is required (*a recall connect request signal thereby requesting said terminal apparatus to transmit said monitoring data*). In response to the interception activation message, **IAD** function in the **LIG** transmits an interception activation message comprising an activation criterion to **IDC** function of **GGSN** (figures 2 & 4; page 10, lines 1-10).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert T. Chou whose telephone number is 571-272-6045. The examiner can normally be reached on 8:30 - 17:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizooou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

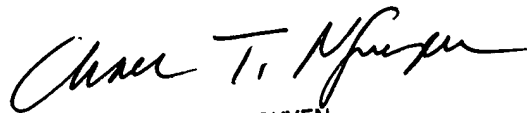
Art Unit: 2662

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC

Albert T. Chou

December 13, 2004



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SUPERVISORY PATENT EXAMINER
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